

Application No: 10/539,839
Amendment B
Reply to Office Action Dated 01/09/2008

Attorney Docket No: 3926.163

REMARKS

Claims 1-15 are now pending in the application. Claim 1 has been amended.

Claim Rejections - 35 U.S.C. § 112

Claims 9 and 15 have been rejected under 35 USC 112, first paragraph, as failing to comply with the enablement requirement. More specifically, the Examiner has stated that the specific manner in which the evaluation area and the tolerance area are automatically expanded when an object recognized is located only partially in the evaluation area is not readily apparent to a skilled artisan and it would appear that specific circuitry which is not disclosed or shown is necessary for carrying out the automatic expanding function.

Applicants believe that claims 9 and 15 are clearly supported by the specification (see, e.g., paragraph [00010], lines 18-20). It is also noted that claims 9 and 15 concern the concept that the evaluation area or the tolerance area can be automatically expanded in order to include the object within the area. The specific circuitry for carrying out the automatic expanding function is not the focus of the present invention because this function may be carried out in a number of different ways readily apparent to a person skilled in the art.

Applicants, therefore, request that the claims rejections under 35 USC 112, first paragraph, be withdrawn.

Claim Rejections - 35 U.S.C. § 103

Claims 1-8 and 10-14 have been rejected under 35 USC 103(a) as being unpatentable over Abel et al. (US 6,803,574 B2).

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Although Applicants respectfully disagree the Examiner's rejections, the language of claim 1 has been modified to even more clearly recite a method for detecting surroundings by means of an automotive night vision system of a vehicle having a high beam headlight illuminating a high beam area and a low beam headlight illuminating a low beam area, the method comprising:

providing a detection area in which the night vision system is sensitive at least to optical radiation in the IR wavelength region and detects data relating to the surroundings,

providing an area of representation that does not cover the entire detection area, wherein the area of representation is restricted to comprise at most the high beam area of the vehicle, and

displaying to a driver of the vehicle only information from data relating to the surroundings detected by the night vision system in the area of representation.

As already discussed in the previous response, Abel discloses a night vision device including a radiation device for generating infrared radiation, a detection device for receiving an infrared image and a display device for visual display of the infrared image for the vehicle driver. It is noted that in Abel the night vision device 20 can be additionally switched on to enlarge the visual field 10, in particular so that the depth of the visual field 10 is extended (see col. 3, lines 19-21). However, the entire enlarged area will be detected and displayed (see column 3, lines 21-25 and 59-62). Therefore, in Able there is no differentiation between a detection area and an area of presentation. In contrast, in the present invention, the area of the presentation does not cover the entire detection area and is restricted to comprise at most the high beam area of the vehicle, and only the data related to the area of the presentation (not the entire detection area) is displayed to the driver.

Claim 1 is, therefore, believed to be patentable over the cited prior art and since all dependent claims are ultimately dependent on claim 1, they are believed to be patentable as well.

Favorable consideration and early issuance of the Notice of Allowance are respectfully

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requested. Should further issues remain prior to allowance, the Examiner is respectfully requested to contact the undersigned at the indicated telephone number.

Respectfully submitted,



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